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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of )  
JONATHAN KOST ) Notice of Allowance Dated:  
on MYOTHERAPY MASSAGE DEVICE ) November 2, 2004  
Serial No.: 10/056,772 ) Group Art Unit: 3764  
Filed on: January 23, 2002 ) Exmr.: Quang D. Thanh  
 )  
 ) (Our Docket No. 5146-0003)  
 )

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LETTER TO THE OFFICIAL DRAFTSMAN

Dear Sirs:

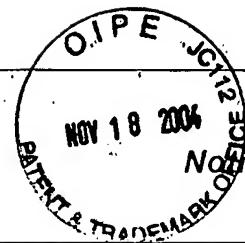
In response to the Notice of Allowability dated November 2, 2004, a copy of which is enclosed, Applicant hereby submits seven (7) sheets (Figs. 1-9) of formal drawings to replace the informal drawings forming part of the application as on file.

Respectfully submitted,

By

  
Kevin H. Vanderleeden  
Registration No. 51,096  
Attorney for Applicants

MCCORMICK, PAULDING & HUBER LLP  
CityPlace II, 185 Asylum Street  
Hartford, CT 06103-4102  
Tel: (860) 549-5290



## Notice of Allowability

Application No.	Applicant(s)	
10/056,772	KOST, JONATHAN	
Examiner	Art Unit	
Quang D. Thanh	3764	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to an after-final amendment filed on 10/18/04.

2.  The allowed claim(s) is/are 3-5,10-20 and 27-35.

3.  The drawings filed on \_\_\_\_\_ are accepted by the Examiner.

4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All    b)  Some\*    c)  None    of the:

1.  Certified copies of the priority documents have been received.

2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.

(a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached  
 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.

(b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of  
 Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

- 1.  Notice of References Cited (PTO-892)
- 2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
 Paper No./Mail Date \_\_\_\_\_
- 4.  Examiner's Comment Regarding Requirement for Deposit  
 of Biological Material
- 5.  Notice of Informal Patent Application (PTO-152)
- 6.  Interview Summary (PTO-413),  
 Paper No./Mail Date \_\_\_\_\_.
- 7.  Examiner's Amendment/Comment
- 8.  Examiner's Statement of Reasons for Allowance
- 9.  Other \_\_\_\_\_.

**RECEIVED**

NOV - 4 2004

McCormick, Paulding & Huber